

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
12575-4

Total Pages in this Submission
48

TO THE COMMISSIONER FOR PATENTS

Mail Stop Patent Application
P.O. Box 1450

Alexandria, VA 22313-1450

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

METHOD FOR DETERMINING POLYNUCLEOTIDE SEQUENCE VARIATIONS

and invented by:

DAWSON, Elliott P. and PHILLIPS, John A.

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 10/346,156

Which is a:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/994,119

Which is a:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/719,130

Which is a: **National phase filing of PCT/US99/18965, Which: claims the benefit of 60/097,136**

Enclosed are:

Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 36 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☒ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Sequence Listing, a Table, or a Computer Program Listing Appendix
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☐ Brief Description of the Drawings (if filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal Number of Sheets _____
- b. ☐ Informal Number of Sheets _____
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)* ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ CD ROM or CD-R in duplicate, large table or Computer Program (Appendix)
7. ☐ Application Data Sheet (See 37 CFR 1.76)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☐ Computer Readable Form (CFR)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ Paper
- c. ☐ Statement(s) Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(B) Statement (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail *(Specify Label No.):* EV 276872374 US

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Total Pages in this Submission
48

☐ (Optional) Small Entity Statement(s) - Specify Number of Statements Submitted: _____

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An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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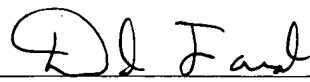
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	62	- 20 =	42	x \$9.00	\$378.00
Indep. Claims	2	- 3 =	0	x \$43.00	\$0.00
Multipl Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$385.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$763.00

- ☐ A check in the amount of _____ to cover the filing fee is enclosed.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-2090 as described below.
- ☒ Charge the amount of \$763.00 as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

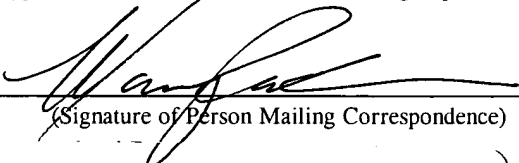
Dated: December 10, 2003


Signature

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CUSTOMER NO.: 23676

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Docket No. 12575-4
Serial No. To be assigned	Filing Date December 10, 2003	Examiner To be assigned	Group Art Unit To be assigned
Inventor(s): DAWSON, Elliott P. et al.			
Invention: METHOD FOR DETERMINING POLYNUCLEOTIDE SEQUENCE VARIATIONS			
<p>I hereby certify that the following correspondence:</p> <ol style="list-style-type: none"> 1. Utility Patent Application Transmittal (Small Entity) (4 pages) 2. United States Utility Patent Application (23 pages Specification, 12 pages Claims (1-62), and 1 page Abstract) (36 pages total) 3. Combined Declaration and Power of Attorney executed by the two inventors, Elliott P. Dawson and John A. Phillips (3 pages) 4. Power of Attorney execute by authorized officer of BioVentures, Inc., Elliott P. Dawson, President (1 page) 5. Information Disclosure Statement (2 pages) 6. PTO-1449 Form and 20 cited References 7. Return Receipt Acknowledgment Postcard <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: <u>December 10, 2003</u></p> <p style="text-align: center;">(Date)</p> <div style="text-align: center; margin-top: 20px;"> <u>Marilyn Paik</u> (Typed or Printed Name of Person Mailing Paper or Fee) </div> <div style="text-align: center; margin-top: 20px;">  (Signature of Person Mailing Correspondence) </div> <div style="text-align: center; margin-top: 20px;"> EV276872374US </div> <div style="text-align: center; margin-top: 20px;"> <u>EV 276872374 US</u> ("Express Mail" Mailing Label No.) </div>			